

Dec. 8. 2009 10:12PM

2009 DEC 10 PM 4:41

No. 0797 P. 1

#19

CHOATE

CHOATE HALL & STEWART LLP

RECEIVED

DEC 16 2009

RECEIVED
CENTRAL FAX CENTER
DEC 09 2009

OFFICE OF PETITIONS

Fax

RECIPIENT	Company	Fax	Phone
Commissioner for Patents	USPTO	571-273-8300	

From	Karen Wells	Number of Pages	5 (including cover sheet)
-------------	-------------	------------------------	---------------------------

Date	December 9, 2009	Client Number	2003080-0069
-------------	------------------	----------------------	--------------

Phone	(617) 248-5000	Operator	Time Sent
--------------	----------------	-----------------	------------------

Comments:

Applicant:	Danishefsky <i>et al.</i>	Examiner:	Solola, Taofiq, A.
Serial No:	09/808451	Group Art Unit:	1626
Filing Date:	March 13, 2001		
Title:	SYNTHESIS OF EPOTHILONES, INTERMEDIATES THERETO, ANALOGUES AND USES THEREOF		

Return by Inter-office Mail Hold for pick-up

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

Under regulations of the Treasury Department, we are required to include the following statement in this message: Any advice contained herein (or in any attachment hereto) regarding federal tax matters was not intended or written by the sender to be used, and it cannot be used by any taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer.

For more information about Choate, Hall & Stewart LLP, please visit us at www.choate.com

Two International Place | Boston MA 02110 | t 617-248-5000 | f 617-248-4000 | choate.com

4583071v1

Dec. 8. 2009 10:12PM

2009 DEC 10 PM 4:17

RECEIVED
CENTRAL FAX CENTER
DEC 09 2009

No. 0797 P. 2

**ATTORNEY'S DOCKET NUMBER: 2003080-0069 (SK 744-CON2)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.* Examiner: Solola, Taofiq, A.
Serial No: 09/808451 Group Art Unit: 1626
Filing Date: March 13, 2001
Title: SYNTHESIS OF EPOTHILONES, INTERMEDIATES THERETO,
ANALOGUES AND USES THEREOF

RECEIVED

DEC 16 2009

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service via facsimile (571) 273-8300 to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
December 9, 2009	<i>Karen E. Wells</i>
Date	Signature
Karen E. Wells	
Typed or Printed Name of person signing certificate	

Sir:

TRANSMITTAL

Enclosed are the following documents:

1. Correction of Possible Inadvertent Payment of Small Entity Fees Under 37 CFR 1.27 and/or 1.28 (2 Pages); and
2. \$870.00 Payment via credit card authorization (1 Page).

Respectfully submitted,

/Brenda Herschbach Jarrell/
Brenda Herschbach Jarrell, Ph.D.
Reg. No. 39,223

Date: December 9, 2009

CHOATE, HALL & STEWART LLP
PATENT GROUP
Two International Place
Boston, MA 02110
(617) 248-5000
patentdocket@choate.com

4583066v1

Dec. 8. 2009 10:12PM

2009 DEC 10 PM 4:11

RECEIVED
CENTRAL FAX CENTER
DEC 09 2009

No. 0797 P. 3

**ATTORNEY'S DOCKET NUMBER: 2003080-0069 (SK 744-CON2)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Danishefsky <i>et al.</i>	Examiner:	Solola, Taofiq, A.
Serial No:	09/808451	Group Art Unit:	1626
Filing Date:	March 13, 2001		
Title:	SYNTHESIS OF EPOTHILONES, INTERMEDIATES THERETO, ANALOGUES AND USES THEREOF		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

DEC 16 2009

OFFICE OF PETITIONS

Sir:

**SUBMISSION TO CORRECT SMALL ENTITY STATUS AND/OR
CORRECTION OF POSSIBLE INADVERTENT PAYMENT OF SMALL ENTITY FEES
UNDER 37 C.F.R. 1.27 AND/OR 1.28**

The above-referenced patent application was filed on March 13, 2001, and a declaration of Small Entity status accompanied the filing papers. Small Entity status was previously established in good faith and Small Entity fees were previously paid in good faith; however, it has been determined that Small Entity fees were paid subsequent to a date where Small Entity status should have been removed. On April 3, 2003, \$220 in fees, were paid as a Small Entity in connection with the filing of four (4) Terminal Disclaimers for the above-referenced patent application. On June 4, 2007, \$450 in fees, were paid as a Small Entity in connection with the filing of a 3.5 year maintenance fee.

12/14/2009 DALLEN 00000013 09080451

01 FC:1461

870.00 OP

Dec. 8. 2009 10:12PM

2009 DEC 10 PM 4:42
RECEIVED No. 0797 P. 4
CENTRAL FAX CENTER
DEC 09 2009

In accordance with 37 C.F.R. 1.28(c) (ii), set forth below is an itemization of the total deficiency payment of \$870.00 enclosed herewith.

(Terminal Disclaimer (4 filed x \$55.00)	\$ 220.00
(Issue Fee)	\$ 450.00
Total current fee for non-small entity	\$1,540.00
Small Entity fees actually paid	\$ 670.00
Deficiency Owed	
(\$1,540.00 - \$670.00)	\$ 870.00

TOTAL DEFICIENCY

\$870.00

In accordance with 37 C.F.R. 1.28(c), Applicants respectfully submit herewith a credit card authorization in the amount of \$870.00 to cover the deficiency owed resulting from the previous erroneous payment of Small Entity fees.

Respectfully submitted,

/Brenda Herschbach Jarrell/
Brenda Herschbach Jarrell, Ph.D.
Reg. No. 39,223

Date: December 9, 2009

CHOATE, HALL & STEWART LLP
PATENT GROUP
Two International Place
Boston, MA 02110
(617) 248-5000
patentdocket@choate.com